

IAAF VETTING RULES

(Amended by the IAAF Council on 11 March 2019)

1. Introduction

- 1.1 Article 19 of the IAAF Constitution provides that a person seeking election or applying to be an IAAF Official (“Applicant”) or to remain in office as an IAAF Official (“Existing IAAF Official”) must be determined to be Eligible to hold that office.
- 1.2 Eligibility shall be determined by a Vetting Panel conducting a Vetting Process to assess whether the person:
- (a) is not Ineligible (as defined by Article 19.4 of the Constitution); and
 - (b) satisfies an Integrity Check, including compliance with all applicable disclosure obligations as required in the Rules and Regulations.

2. Commencement

- 2.1 These Rules (as amended) shall be effective from 11 March 2019.
- 2.2 These Rules may be amended from time to time by Council.

3. Purpose

- 3.1 The purpose of these Rules is to establish a process for determining that each IAAF Official is, and remains, Eligible.

4. Application of these Rules

- 4.1 These Rules apply to an Applicant or an Existing IAAF Official, including any person who is an IAAF Official at the time these Rules become effective.
- 4.2 An “**IAAF Official**” is defined in the IAAF Constitution as including any person who is elected or appointed to a position in which they represent the IAAF, including, but not limited to, Council Members, Executive Board members, the Athletics Integrity Unit Board Appointments Panel, Committees, Commissions, sub-Commissions and other working groups, advisory groups and taskforces.
- 4.3 Members of the Vetting Panel, the Athletics Integrity Unit Board and the Disciplinary Tribunal are also considered IAAF Officials for the purposes of these Rules.

- 4.4 For the avoidance of doubt, these Rules further apply to the Vetting of applicants for certain IAAF Staff positions and to existing members of IAAF Staff, as described in Rule 12.6 below. In such cases, references in these Rules to the terms "Applicant", "IAAF Official" and "Existing IAAF Official" shall be read accordingly.

5. Definitions

- 5.1 The capitalised words and phrases used in these Rules shall have the meanings specified in the Constitution. Words and phrases not specified in the Constitution shall have the following meaning:

"Application" means an application for appointment, or as a candidate for election, to a position as an IAAF Official.

"Constitution" and **"IAAF Constitution"** means the constitution of the IAAF which comes into force on 1st January 2017, known as the 2017 Constitution, including any amendments to it made from time to time.

"Declaration Form" means the form to be adopted and amended from time to time by the Vetting Panel for purposes of gathering relevant information from Applicants or Existing IAAF Officials as described in Rule 14.

"Disclosure Statement" means the listing of all significant interests held by an Applicant or Existing IAAF Official, included in the Vetting Disclosure Form.

"Eligible" and **"Eligibility"** means that the Vetting Panel has decided that the person (a) is not Ineligible and (b) satisfies an Integrity Check as set out in Article 19.2 of the Constitution and further described in these Rules.

"IAAF Staff" subject to, and for the purposes of these Rules, means any person employed or engaged by the IAAF to undertake work for it, or on its behalf (including those employed by or engaged to work with the Athletics Integrity Unit) as described in Rule 12.6.

"Inaugural Vetting Panel" means the body appointed under Article 19.10 of the Constitution by Council as the first Vetting Panel to act until the first Council meeting after the Election Congress of 2019. Every reference to Vetting Panel in these Rules shall include the Inaugural Vetting Panel unless stated otherwise.

"Ineligible" and **"Ineligibility"** has the meaning defined in Article 19.4 of the Constitution.

“Integrity Check” means the assessment by the Vetting Panel of all available relevant information concerning the person, including disclosures by that person:

- (a) on a Declaration Form or Vetting Disclosure Form; and
- (b) for Existing IAAF Officials, disclosures made to comply with the duties of disclosure for IAAF Officials as set out in the IAAF Code of Ethics and, the Integrity Code of Conduct, including completion of a Reporting Statement.

“Reporting Statement” means the disclosure statement which all IAAF Officials must submit, and keep updated, in accordance with the Rules adopted pursuant to the IAAF Code of Ethics and, the Integrity Code of Conduct.

“Screening Body” means the body described in Article 19.13 of the Constitution appointed by Council, comprising at least two persons independent of the IAAF appointed by Council, to Vet the prospective and current members of the Vetting Panel, including the Inaugural Vetting Panel.

“Vetting”, “Vetting Process” and **“to Vet”** means the process by which the Vetting Panel decides whether an Applicant or an Existing IAAF Official is Eligible to take up or continue their duties as an IAAF Official.

“Vetting Disclosure Form” means the Declaration Form and the Disclosure Statement for Applicants and Existing IAAF Officials seeking appointment or election to "Level 1" and "Level 2" positions as described in Rule 12.6, in a form to be adopted and amended from time to time by the Vetting Panel as described in Rule 14.

6. Scope of these Rules

6.1 These Rules define the structure and process for the Vetting of IAAF Officials by:

- 6.1.1 Establishing the terms for the appointment, operation, duties, powers and responsibilities of the Vetting Panel;
- 6.1.2 Describing the process for determining “Ineligibility”;
- 6.1.3 Describing the process by which Integrity Checks commence, and how they are conducted; and
- 6.1.4 Describing how the Vetting Panel is to decide if a person is Eligible to be, or remain as, an IAAF Official.

7. Vetting Panel - Composition and Appointment

- 7.1 In accordance with Article 19.8 of the Constitution, the Vetting Panel shall consist of members who are independent of the IAAF, with experience in vetting or screening applicants and candidates for appointments to official positions, as follows:
- 7.1.1 The Inaugural Vetting Panel shall comprise of three persons appointed by Council in accordance with Article 19.10 of the Constitution, at least one of whom shall be a lawyer. The Council may also appoint a person or persons to be alternate members of the Inaugural Vetting Panel, to be available, in the event that a member recuses him/herself from the Panel (in accordance with the Terms of Reference) or is otherwise unavailable.
 - 7.1.2 The Inaugural Vetting Panel shall serve from the date of appointment until the commencement of the first Council meeting held after the 2019 Election Congress.
 - 7.1.3 The Vetting Panel shall comprise three persons approved by Congress on the recommendation of Council at each Election Congress, at least one of whom shall be a lawyer.
 - 7.1.4 The Vetting Panel members shall serve for a term of 4 years commencing at the conclusion of the Election Congress at which their appointment is effective, and expiring at the commencement of the first Council meeting held after the next Election Congress meeting.
 - 7.1.5 Members of the Vetting Panel (including the Inaugural Vetting Panel) may be reappointed for further terms of 4 years without limitation.
- 7.2 Council will appoint the chairperson of the Inaugural Vetting Panel and any successor thereto, and, from the 2019 election Congress, will recommend to Congress which one of the three persons recommended to be members of the Vetting Panel should be the chairperson (and any successor thereto), by consulting with such internal and external experts as the President or Council may determine. The alternate Panel Member shall only attend meetings of the Panel if (a) a Panel Member has recused him/herself from the Panel or is otherwise unavailable as notified to the Chairperson or (b) is invited by the Chairperson to attend meetings of the Vetting Panel related solely to the functioning and administration of the Vetting Panel.
- 7.3 Council will identify the other two members of the Inaugural Vetting Panel and, from the 2019 election Congress, any alternate member of the Inaugural Vetting Panel (and will recommend to Congress the other two members of the Vetting Panel) by

consulting with the chairperson in each case (once identified or existing) as well as with such other internal and external experts as the President or Council may determine.

- 7.4 Each member of the Vetting Panel must be Vetted by the Screening Body and a decision made as to whether he or she is Eligible to take up and/or continue his or her duties.
- 7.5 The Screening Body shall have the same duties, powers and responsibilities as the Vetting Panel, and shall follow the same procedures for conducting the Vetting Process. References to the Vetting Panel in these Rules shall be deemed to apply to the Screening Body where an Applicant or Existing Official is a proposed or existing member of the Vetting Panel.
- 7.6 A member (including any alternate member) of the Vetting Panel shall be removed from the Vetting Panel upon a determination by the Screening Body at any time during his or her term that the member is no longer Eligible.

8. Vetting Panel - Role, Powers, Duties and Procedure

- 8.1 Subject to the Constitution and these Rules, the Vetting Panel shall have all powers and authorities necessary to fulfill its role and carry out its duties.
- 8.2 The role of the Vetting Panel shall be to decide if an Applicant or Existing IAAF Official is Eligible to be, or remain in office as, an IAAF Official in accordance with these Rules.
- 8.3 In carrying out its role, the Vetting Panel shall operate in accordance with the Terms of Reference set out as Appendix 1 to these Rules.
- 8.4 A decision that an Applicant or Existing Official is Ineligible, either by the Vetting Panel or the Screening Body, shall be final, subject to a right of appeal to the Court of Arbitration for Sport (CAS) Appeals Arbitration Division in accordance with the Rules and Regulations. Any appeal of a decision of Ineligibility under these Rules must be filed with the CAS within twenty-one (21) days of the Applicant or the Existing Official receiving the written decision of the Vetting Panel. The decision on Eligibility shall only be overturned on appeal if the CAS Panel is of the view that the Vetting Panel or Screening Body could not reasonably have come to the conclusion reached.

9. Ethical Compliance Officer

- 9.1 The IAAF shall appoint an Ethical Compliance Officer in accordance with, and to carry out the roles and responsibilities identified in, the Rules and Regulations.

9.2 The roles and responsibilities of the Ethical Compliance Officer shall include:

- 9.2.1 assisting in the conduct of the Vetting Process under the oversight and direction of the Vetting Panel, as set out in these Rules;
- 9.2.2 assisting in the conduct of the Vetting process under the oversight and direction of the Screening Body, as set out in these Rules;
- 9.2.3 informing the Vetting Panel or Screening Body, as the case may be, immediately he or she becomes aware that an Applicant or Existing IAAF Official is, or may be, no longer Eligible; and
- 9.2.4 carrying out such other requests as the Vetting Panel or Screening Body might make from time to time for the purposes of these Rules.

10. Applicability of Vetting

10.1 All IAAF Officials are subject to Vetting.

10.1.1 The election or appointment process for each position as an IAAF Official must include obtaining written consent from each Applicant (including any Applicant who is an Existing IAAF Official) to be subject to Vetting:

- (a) as a condition to proceeding with the proposed candidacy or appointment; and
- (b) on an on-going basis throughout his or her term as an IAAF Official whenever determined to be necessary by the Vetting Panel.

10.1.2 Such written consent shall include:

- (a) consents to use of personal data and waiver of privacy rights (in accordance with applicable data protection and privacy laws and regulations) as required for purposes of carrying out the Vetting; and
- (b) acknowledgement by any Applicant (and reiteration by any Applicant who is an Existing IAAF Official) that, in pursuing the proposed candidacy or appointment, the Applicant agrees to be bound by these Rules and the IAAF Code of Ethics or, upon its adoption, the Integrity Code of Conduct; and

- (c) agreement to timely submit for review by the Vetting Panel an accurate and complete Declaration Form or, as the case may be, Vetting Disclosure Form.
- 10.1.3 The IAAF Officials or bodies responsible for managing an election process for Applicants must refer all candidates proposing to stand for election to the Vetting Panel for determination of Eligibility before their candidacy is accepted.
- 10.1.4 The IAAF Officials or bodies responsible for managing an appointment process for Applicants must refer all short-listed Applicants to the Vetting Panel for determination of Eligibility before proceeding further with the appointment.

11. Vetting Process

- 11.1 The Vetting Panel shall establish the details of the Vetting Process, consistent with the following general framework and the Flow Diagram set out in Appendix 2.
 - 11.1.1 Every Application for appointment or election to a position as an IAAF Official shall be made in accordance with Rule 11 of these Rules, is deemed to be made subject to a decision by the Vetting Panel that the person is Eligible, and must be accompanied by timely submission of a Declaration Form or, depending upon the level of the position, a Vetting Disclosure Form.
 - 11.1.2 Upon making an Application, the Applicant (including any Applicant who is an Existing IAAF Official) will be notified by the IAAF that his or her Application will be referred to the Vetting Panel for a decision on Eligibility before proceeding with his or her appointment or candidacy.
 - 11.1.3 Every IAAF Official responsible for managing an appointment or election process for a position as an IAAF Official is obliged to promptly notify all Applications for such appointment or election to the Vetting Panel in due time for the Vetting Process to be completed in accordance with the applicable deadlines for the appointment or election.
 - 11.1.4 Every Existing IAAF Official is obliged to promptly update his or her Declaration Form (or, where applicable, Vetting Disclosure Form) to ensure it is complete and accurate at all times and to promptly notify the Vetting Panel if he or she is or is likely to become no longer Eligible, or becomes aware that any Applicant or Existing IAAF Official is, or may be, no longer

Eligible (for the avoidance of doubt, this includes notification by an Existing IAAF Official that he or she has become Ineligible).

- 11.1.5 The Vetting Panel may also become aware from publicly available information sources or otherwise that an Applicant or an Existing IAAF Official is, or may be, no longer Eligible.
- 11.1.6 Upon notification pursuant to Rules 11.1.3 or 11.1.4, or upon becoming aware that an Applicant or an Existing IAAF Official is, or may be, no longer Eligible, the Vetting Panel will determine whether any further information or assessment is necessary and if so will instruct the Ethical Compliance Officer to seek such information or carry out such an assessment.
- 11.1.7 If the Vetting Panel determines at any time during the Vetting Process that no further information or assessment is necessary, the Vetting Panel will promptly notify the Applicant or Existing IAAF Official accordingly.
- 11.1.8 Upon instruction by the Vetting Panel, the Ethical Compliance Officer will proceed to carry out an assessment of Ineligibility, by considering if any of the circumstances set out in Article 19.4 of the IAAF Constitution apply, in order to make a recommendation to the Vetting Panel accordingly.
- 11.1.9 Upon completion of the assessment, the Ethical Compliance Officer shall report his or her recommendation to the Vetting Panel for determination of Ineligibility or otherwise.
- 11.1.10 Upon receiving the recommendation of the Ethical Compliance Officer, the Vetting Panel may at that point either (a) make a preliminary finding that the Applicant or Existing Official is Ineligible, and if so will proceed in accordance with Rule 11.1.12 below; or (b) instruct the Ethical Compliance Officer to compile a report of all relevant information on the person so that the Vetting Panel may carry out an Integrity Check in accordance with Rule 11.1.11.
- 11.1.11 The Vetting Panel will review the Ethical Compliance Officer's reports as set out in Rule 11.1.9 and, where applicable, Rule 11.1.10, and on that basis, may either:
 - (a) make a decision that the Applicant or Existing IAAF Official is Eligible;
 - (b) make a preliminary finding that the Applicant or Existing IAAF Official may not be Eligible.

- 11.1.12 Following a preliminary finding that an Applicant or Existing IAAF Official is Ineligible, or may not be Eligible due to failure to satisfy an Integrity Check, the Vetting Panel shall notify the Applicant or Existing IAAF Official in writing of its preliminary finding and the reasons for it (which shall be confidential), and give the person at least 5 working days to make any submissions on such preliminary finding and provide any evidence in support of those submissions to the Vetting Panel.
- 11.1.13 The Vetting Panel shall then consider any such submissions and evidence, and make any further enquiries as it deems appropriate, before making a final decision on whether the Applicant or Existing IAAF Official is Eligible.
- 11.1.14 Once a final decision is made by the Vetting Panel under Rule 11.1.13, the Applicant or Existing IAAF Official will be notified as soon as possible, in writing, of its decision, and if the Vetting Panel decides the person not Eligible it shall include a summary of the reasons for that decision.
- 11.2 For purposes of implementing the Vetting Process in a timely and efficient manner:
- 11.2.1 The Ethical Compliance Officer must report his or her recommendation as to Ineligibility to the Vetting Panel within 10 working days after instruction by the Vetting Panel;
- 11.2.2 The Vetting Panel must make a preliminary finding as to Ineligibility within 10 working days of receiving the report of the Ethical Compliance Officer.
- 11.2.3 Within 10 working days after being instructed by the Vetting Panel that an Integrity Check is to be carried out, the Ethical Compliance Officer will compile a report of all relevant information on the person and send the report to the Vetting Panel. If necessary, and without jeopardising the ability to complete the Vetting Process within applicable deadlines for appointment or election to the relevant position, the Ethical Compliance Officer may seek a short extension of time.
- 11.2.4 Subject to unforeseen circumstances requiring extended inquiry or otherwise necessitating additional time, and in all cases subject to the obligation to complete the Vetting Process in time to meet any applicable deadlines for appointment or election, the duration of the Vetting Process will not exceed 3 months.
- 11.2.5 A decision by the Vetting Panel that an Applicant or Existing IAAF Official is not Eligible (either due to being Ineligible or due to failure to satisfy an

Integrity Check) will be final, subject to the right of appeal specified in Rule 8.4 of these Rules.

- 11.2.6 An Applicant may withdraw his or her Application to be an IAAF Official at any time prior to a final decision by the Vetting Panel on whether or not the Applicant is Eligible.

12. Integrity Check

- 12.1 Integrity Checks shall be carried out in a reasonable and proportionate manner based on the level of authority and influence exercised by the person holding, or proposing to hold, the relevant position as an IAAF Official as set out in these Rules.

- 12.2 For an Applicant or Existing IAAF Official to satisfy an Integrity Check, the Vetting Panel must decide, on the balance of probabilities, and after considering all relevant information available to it, that the person:

12.2.1 is able to meet the high standards of conduct and integrity required of an IAAF Official; and

12.2.2 is of good character and reputation; and

12.2.3 is physically and mentally fit to perform the position being sought or the position he or she hold.

- 12.3 In assessing whether or not an Applicant or Existing IAAF Official satisfies the criteria specified in Rules 12.2.1 and 12.2.2 the Vetting Panel, shall without limiting its considerations, take into account whether the person:

12.3.1 is, or has been, the subject of an investigation or disciplinary action, (whether or not in any sporting context including within Athletics), resulting in adverse findings being made about the person's credibility, integrity, honesty or reputation; or

12.3.2 has at any time not complied with the law; or

12.3.3 is or has been the subject of any public controversy, which has so undermined that person's credibility, integrity, honesty or reputation or has brought the person into such disrepute, that his or her association, or continued association, with the IAAF has or is likely to adversely affect the reputation or interests of the sport of Athletics or the IAAF.

- 12.4 The Vetting Panel may determine that an Applicant or Existing IAAF Official satisfies an Integrity Check even though one or more of the matters specified in Rules 12.3.1 to 12.3.3 (inclusive) exist. In reaching this determination, the Vetting Panel may also take into account the process by which any of the circumstances in Rules 12.3.1 to 12.3.3 occurred, including whether the process involved a fair hearing before an impartial body or followed the applicable rules or law, or an appeal is pending.
- 12.5 The Vetting Panel may issue informative guidance from time to time elaborating on the matters which may be taken into account by the Vetting Panel in determining whether an Applicant or Existing IAAF Official satisfies an Integrity Check.
- 12.6 The nature and extent of Integrity Checks on Applicants and Existing IAAF Officials under these Rules shall be established by the Vetting Panel but shall be consistent with the following:
- 12.6.1 "Level 1" - For decision-making roles such as those of the President, Vice Presidents, the Chief Executive Officer, Head of the Athletics Integrity Unit, Ethical Compliance Officer and members of the Executive Board and its committees, Council, Athletics Integrity Unit Board, Vetting Panel, and the Disciplinary Tribunal, the Integrity Check shall include:
- (a) review of the Vetting Disclosure Form;
 - (b) review of any Reporting Statements (for Existing IAAF Officials);
 - (c) research of publicly available information sources and other information made available to the IAAF;
 - (d) in-depth specialised research commissioned from independent experts; and
 - (e) such further inquiry as deemed necessary by the Vetting Panel.
- 12.6.2 "Level 2" - For roles exercising significant influence in decision-making of the IAAF such as those of IAAF Staff in senior executive management or senior advisory roles reporting directly to "Level 1" IAAF decision-makers (such as directors or heads of functional departments), Chairs of Committees, Commissions, working groups, advisory groups, taskforces and panels appointed by the IAAF, and key consultants and advisors to the IAAF, the Integrity Check shall include:

- (a) review of the Vetting Disclosure Form;
- (b) review of any Reporting Statements (for Existing IAAF Officials); and
- (c) research of publicly available information sources and other information made available to the IAAF.

12.6.3 "Level 3" - For all other management or advisory roles such as members of Committees, Commissions, working groups, advisory groups, taskforces and panels appointed by the IAAF, consultants or advisors to the IAAF carrying out such management or advisory roles, all IAAF Staff in mid-level management roles reporting directly to "Level 2" senior management or senior advisors and all other IAAF Staff employed by the Athletics Integrity Unit, the Integrity Check shall include:

- (a) review of the Declaration Form;
- (b) review of any Reporting Statements (for Existing IAAF Officials; and
- (c) research of publicly available information sources and other information made available to the IAAF.

13. Referral to Athletics Integrity Unit

- 13.1 If at any time during the course of conducting the Vetting Process, the Vetting Panel decides that any matter pertaining to the Applicant or Existing IAAF Official should be referred to the Athletics Integrity Unit, the matter shall be promptly referred to the Head of the Athletics Integrity Unit.
- 13.2 In the case of any such referral, the Vetting Panel shall suspend the Vetting Process until the matter is dealt with by the Athletics Integrity Unit, and shall so notify the Applicant, Existing IAAF Official, and the IAAF Official(s) responsible for conducting the election or appointment process when deemed appropriate by the Athletics Integrity Unit.

14. Declaration Form and Vetting Disclosure Form

- 14.1 For purposes of providing the Vetting Panel with relevant information concerning each Application for appointment or election, the Vetting Panel shall develop standard forms for submission by each Applicant or Existing IAAF Official.

14.2 The format and content of the forms shall be established by the Vetting Panel but shall be consistent with the following:

14.2.1 Each Application must be accompanied by a Declaration Form, in which the Applicant or Existing IAAF Official confirms knowledge and understanding of the provisions of the Constitution defining “Ineligibility” and of the IAAF Code of Ethics, or, upon its adoption, the IAAF Integrity Code of Conduct; and declares whether there any potential or actual conflicts of interests, on-going litigation, applicable sanctions, or other matters likely to adversely affect the image or reputation of the IAAF.

14.2.2 Each Application for a position at “Level 1” or “Level 2” as defined in Rule 12.6 must be accompanied by a Vetting Disclosure Form, comprised of a Declaration Form and a Disclosure Statement listing all significant interests held by the Applicant or Existing IAAF Official.

14.2.3 No Application may proceed to Vetting unless and until the Declaration Form (or, where applicable, the Vetting Disclosure Form) is submitted.

14.2.4 Failure to provide or update the Declaration Form (or, where applicable, the Vetting Disclosure Form) in a timely, accurate and complete manner may be grounds for a finding by the Vetting Panel that the Applicant or Existing IAAF Official is not Eligible or is no longer Eligible, and may also be the basis for referral to the Athletics Integrity Unit in accordance with Rule 13.

15. **Notification of Area Associations and Member Federations**

15.1 Where an Existing Official is an official of an Area Association or a Member Federation and is found Ineligible, the Vetting Panel shall notify such Area Association and Member Federation of the Vetting Panel’s decision.

APPENDIX 1

IAAF VETTING PANEL

Terms of Reference

(Amended on 11 March 2019)

1. Status and Role

- 1.1 The IAAF Vetting Panel ("Panel") is appointed by, and reports to, Congress.
- 1.2 The role of the Panel is to determine the Eligibility of persons to be appointed or elected as, or to remain as, IAAF Officials.

2. Commencement

- 2.1 These Terms of Reference were amended by Council on 11 March 2019 and are effective from that date.

3. Composition

- 3.1 **Size:** The Panel shall consist of a Chairperson and two members, together referred to as Panel Members.
- 3.2 **Membership:** The Panel shall comprise persons independent of the IAAF, with experience in vetting or screening applicants and candidates for appointments to official positions, one of whom shall be a lawyer.
- 3.3 **Appointment:** Except for the Inaugural Vetting Panel, the Panel Members shall be appointed by Congress on the recommendation of Council at each Election Congress.

4. Term and Vacancies

- 4.1 **Term:** The term of office for Panel Members shall be 4 years commencing at the conclusion of the Election Congress at which their appointment is effective, and expiring at the commencement of the first Council meeting held after the next Election Congress.
- 4.2 Members of the Panel may be re-appointed for further subsequent and consecutive terms of office without limitation.

5. Resignation, Removal, Vacancies

- 5.1 A Panel Member may resign from the Panel prior to the expiry of their term of office by giving not less than 3 months' notice in writing to the IAAF President.

- 5.2 A Panel Member shall be removed from the Panel prior to the expiry of his or her term of office upon a determination by the Screening Body that the Panel Member is no longer Eligible.
- 5.3 If any position on the Panel is vacant, whether by resignation, removal or otherwise at any time:
- 5.3.1 Congress shall appoint a replacement member for the balance of the term of office of the vacated position;
 - 5.3.2 In the period between meetings of Congress, Council may temporarily appoint a replacement member for a maximum period of 2 years, pending a decision by Congress.

6. Responsibilities

A Panel Member shall have the following responsibilities:

- 6.1 to act at all times independently of the IAAF, for the sole purpose of conducting a full and fair assessment of every Applicant and Existing IAAF Official's Eligibility;
- 6.2 to safeguard confidential and personal data in accordance with strict confidentiality procedures and in compliance with all applicable data protection and privacy obligations
- 6.3 to adopt a standard Vetting Disclosure Form and a standard Declaration Form seeking information on each item of Ineligibility and to require all Applicants and Existing IAAF Officials to complete it in accordance with the application of the Integrity Checks to various levels of IAAF Officials (a) as a condition to seeking office or (b) where already an Existing IAAF Official, upon request where necessary to conduct Vetting;
- 6.4 to instruct and oversee review by the Ethical Compliance Officer of the information disclosed on the Vetting Disclosure Form, Declaration Form and, for Existing IAAF Officials, the Reporting Statement;
- 6.5 to instruct and oversee the gathering of additional information by the Ethical Compliance Officer from publicly available sources and external business intelligence agencies as deemed necessary by the Panel for a proper determination of Eligibility;
- 6.6 to receive reports from the Ethical Compliance Officer concerning the information obtained from the sources described above;

- 6.7 to compel disclosure of information (either to the Ethical Compliance Officer or directly to the Panel) by any IAAF Official as deemed necessary by the Vetting Panel for a proper determination of Eligibility;
- 6.8 to make decisions on Eligibility in a timely and efficient manner in accordance with the timeframes set out in these Rules, and to report to Council accordingly;
- 6.9 to report issues and matters of concern to the Head of the Athletics Integrity Unit where considered by the Panel to be potentially relevant to the work of the Athletics Integrity Unit.

7. Duties of Panel Members

- 7.1 **IAAF Interests:** In undertaking any work in connection with the Panel, each Panel Member shall act in the interests of the IAAF.
- 7.2 **Participation:** Panel Members shall attend each meeting of the Panel (in person or using technology) unless excused by the Chair. Each Panel member shall actively participate in Panel meetings and in matters undertaken by the Panel between meetings. Each Panel Member must be adequately prepared for each Panel meeting in order to participate effectively and constructively.
- 7.3 **Integrity Code of Conduct:** Each Panel Member shall agree to be bound by the IAAF Integrity Code of Conduct and the Rules.

8. Reporting

- 8.1 **Reports to Council:** The Panel shall report its determinations to Council.
- 8.2 **Council Meetings:** The Chair of the Panel shall attend Council meetings, as requested by the President, to report on any matter within the Panel's responsibilities.
- 8.3 **Annual Summary Report:** the Panel will report annually to Council and to Congress on its work.

9. Panel Meetings and Procedure

- 9.1 **Work:** The Panel shall undertake its work at meetings of the Panel and in between meetings as is necessary to fulfil its responsibilities.
- 9.2 **Meetings:** The Panel shall meet at least three times a year and on an ad hoc basis as necessary to respond to the need to conduct Vetting. At least one such meeting is expected to be held by using technology rather than in person. The dates of scheduled meetings are to be agreed by the Chairperson, and as much notice as possible, usually at least one month's notice, will be given to all Panel Members of the date, time and venue for any meeting.
- 9.3 **Agenda:** The Chairperson shall prepare an agenda for each meeting. The agenda, together with relevant papers, will be distributed by email to all Panel Members by prior to a Panel meeting (usually 1-2 weeks prior).
- 9.4 **Chair:** The Chairperson will chair all meetings
- 9.5 **Attendees:** The Ethical Compliance Officer will attend all meetings, and other persons may be invited by the Chairperson to attend meetings to provide information or advice on a specific item of business at a meeting
- 9.6 **Meetings using Technology:** Subject to clause 9.9 (Resolutions Outside of Meetings) Panel meetings may be held by telephone, through video conference facilities or by other means of electronic communication (other than electronic mail (e-mail) communication) provided that:
- 9.6.1 prior notice of the meeting is given to all Panel Members; and
- 9.6.2 all persons participating in the meeting are able to hear each other effectively and simultaneously.
- Participation by any Panel Member in this manner at a meeting shall constitute the presence of that member at that meeting.
- 9.7 **Quorum:** The quorum for meetings of the Panel shall be at least 2 members of the Panel one of whom must be the Chairperson, (unless the Chairperson is recused pursuant to Rule 9.11).
- 9.8 **Voting:** Determinations of the Panel shall generally be made by consensus. If a consensus cannot be reached and a vote is required, each Panel Member (including the Chairperson) shall have one (1) vote. Voting by proxy is not permitted. Except to the extent specified in these Terms of Reference, a majority of votes in favour of an action by those Panel Members present at a meeting, is required for it to be passed. In the event of an equality of votes, the Chairperson shall have both a deliberative and a casting vote.

- 9.9 **Resolutions Outside of Meetings:** In addition to resolutions made during meetings of the Panel, a resolution in writing signed or consented to, by email, facsimile or other form of visible or other electronic communication, by all Panel Members, shall be valid as if it had been passed at a Panel meeting. Any such resolution may consist of several documents in the same form each signed by 1 or more of the Panel Members.
- 9.10 **Minutes:** Minutes of each meeting of the Panel shall be taken. The minutes will be finalised in consultation with the Chairperson and sent to Panel members within a maximum of 1 month of the meeting. Any amendments to the Minutes will be agreed at the next meeting of the Panel and noted accordingly.
- 9.11 **Recusal:** No member of the Vetting Panel may take part in assessing whether an Applicant or Existing IAAF Official is Ineligible if the member of the Vetting Panel:
- 9.11.1 is of the same nationality or resides in the same country as the Applicant or Existing IAAF Official; or
 - 9.11.2 has or previously had a personal connection or direct interest in any dealings with or matters involving the Applicant or Existing IAAF Official; and
- if any of the circumstances in clauses 9.11.1 and 9.11.2 exist, the member concerned shall immediately notify the Chairperson and the other members of the Vetting Panel of such circumstances.
- 9.12 **Confidentiality:** All meetings and the work of the Panel are confidential. No documents, information, discussion and determinations made at a Panel meeting or otherwise exchanged or agreed in connection with the work of the Panel, shall be disclosed to any other person unless:
- a. the Panel Chairperson authorises such disclosure;
 - b. the Panel agrees that such disclosure is necessary or desirable to advance its work;
 - c. the matter is in the public domain; or
 - d. such disclosure is required under these Rules, or by law or any applicable authority, including the IAAF Ethics Board or the IAAF Disciplinary Tribunal.

9.13 Exchange of Information with the Athletics Integrity Unit:

- a. The Vetting Panel may consult confidentially with the Athletics Integrity Unit to enquire about any prima facie charges or any ongoing or closed investigations against or into a person who is or has been Vetted. The Vetting Panel and the Athletics Integrity Unit shall not disclose this communication to the person who has or is being Vetted unless this communication is then relied upon as part of a finding of Ineligibility.
- b. The Athletics Integrity Unit may request information from the Vetting Panel about any person the Panel has Vetted or is in the process of Vetting, and the Vetting Panel shall provide such information in accordance with that request which it possesses, if it considers such request is necessary and desirable to advance the work of the Athletics Integrity Unit.

10. Administration

- 10.1 **Expenses:** For each Panel member, the IAAF will reimburse expenses, and provide any other allowances or service fees, in accordance with IAAF policy.
- 10.2 **Administration:** The IAAF will arrange travel, accommodation and insurance for Panel meetings in accordance with IAAF policy.
- 10.3 **Documents:** The IAAF will provide the Panel with all documents held by the IAAF relevant to the Panel's work.
- 10.4 **Indemnification:** The Panel Members will be indemnified by the IAAF and/or covered by insurance provided by the IAAF, against claims brought against them for actions properly taken in course of their responsibilities and duties.

APPENDIX 2
FLOW DIAGRAM OF VETTING PROCESS

